

In re REFCO, INC. SECURITIES
LITIGATION

X
07 MDL No. 1902 (GEL)

ECF FILED

GEORGE L. MILLER, Chapter 7 Trustee
For the Estate of Suffolk LLC,

Plaintiff,

v.

JOSHUA MAILMAN,

Defendant.

X
Index No. 09 Civ. 2917 (GEL)

**SUPPLEMENTAL DECLARATION OF
JOSHUA MAILMAN**

Joshua Mailman declares under penalty of perjury:

1. I am the defendant in the above-captioned action. I submit this Supplemental Declaration in further support of my motion to dismiss the Complaint.
2. My original Declaration dated June 8, 2009, which was filed with my motion, did not contain a copy of the check I received from the Bank of New York in exchange for my shares in PlusFunds, due to a delay in obtaining the document from the archived records of Citibank. I obtained it recently and have attached it as Exhibit A hereto.
3. This document provides further support for my statement that I received payment from the Bank of New York as the escrow agent for the tender offer.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
June 19, 2009

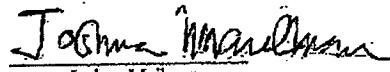

Joshua Mailman

EXHIBIT A

୧୮୬

THE BANK OF NEW YORK

-02917-

TO THE
END
OF

2000 IN NEW YORK CITY IS A
MAGNETIC HIGHLIGHT

BOUNTY

Digitized by srujanika@gmail.com

ENDORSEMENT HERE

X

~~For Dep Only~~
~~37055008~~

DO NOT WRITE OR STAMP BELOW THIS LINE

DEPARTMENT OF BANK ENDORSEMENT

021000089 8512 20210-000089
B00104 C0104 CITIBANK NY
0570 550104852 0605015 20424227